

NOTICE OF PUBLIC INFORMATION

DEPARTMENT OF ENVIRONMENTAL QUALITY

Editor's Note: The purpose of this Notice of Public Information is to extend the formal comment period for the proposed rulemaking.

1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 1, Department of Environmental Quality - Administration
Articles and their headings: 1, Definitions
2, Administrative Appeals Concerning Decisions and Actions by the Department
Sections Numbers: R18-1-101 and R18-1-201 through R18-1-219

2. **Subject matter of this proposed rule:**

This notice extends the formal comment period for this proposed rulemaking. The original comment period ended October 10, 1997, as announced on page 2366 of the August 29, 1997, *Register*. The extended formal comment period ends December 12, 1997.

The purpose of the proposed rulemaking is to conform the Department's rules governing administrative appeals from departmental actions to the new statutory requirements of A.R.S. §§ 41-1092 through 41-1092.11. Those statutory provisions, which govern the appeal of agency actions through Arizona's Office of Administrative Hearings, supersede the Department's current rules at R18-1-101 and R18-1-201 through R18-1-219. This notice proposes to amend R18-1-101, repeal R18-1-201 through R18-1-219, and adopt substitute provisions that relate specifically to issues during appeals from departmental actions that are not addressed in A.R.S. §§ 41-1092 through 41-1092.11 and Arizona Department of Administration rules promulgated thereunder.

These issues include the nonadjudicative nature of certain departmental actions and the application of appealable agency action procedures also to contested cases.

3. **Sections Affected**

Rulemaking Action

| | |
|-----------|---------------|
| R18-1-101 | Amend |
| Article 2 | Amend Heading |
| R18-1-201 | Repeal |
| R18-1-201 | New Section |
| R18-1-202 | Repeal |
| R18-1-202 | New Section |
| R18-1-203 | Repeal |
| R18-1-203 | New Section |
| R18-1-204 | Repeal |
| R18-1-204 | New Section |
| R18-1-205 | Repeal |
| R18-1-206 | Repeal |
| R18-1-207 | Repeal |
| R18-1-208 | Repeal |
| R18-1-209 | Repeal |
| R18-1-210 | Repeal |
| R18-1-211 | Repeal |
| R18-1-212 | Repeal |
| R18-1-213 | Repeal |
| R18-1-214 | Repeal |
| R18-1-215 | Repeal |
| R18-1-216 | Repeal |
| R18-1-217 | Repeal |
| R18-1-218 | Repeal |
| R18-1-219 | Repeal |

4. **A citation to all published notices relating to the proceeding:**

Notice of Docket Opening: 3 A.A.R. 1878, July 11, 1997

Notice of Proposed Rulemaking: 3 A.A.R. 2363, August 29, 1997

5. **The date, time and location of additional oral proceedings:**

Date: December 8, 1997

Time: 1 p.m.

Location: Department of Environmental Quality Public Meeting Room
3033 North Central Avenue
Phoenix, Arizona

Notices of Public Information

The extended formal comment period ends December 12, 1997. Persons interested in submitting written formal comments should submit them to the person listed in question #6.

6. The name, address and telephone number of agency personnel to whom questions and comments may be addressed:

Name: George Tsiolis
Address: 3033 North Central Avenue
Phoenix, Arizona 85012
Telephone: (602) 207-2222
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